

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TOM INES,) CV No. 14-00052 HG-KSC
)
)
Plaintiff,)
)
)
vs.)
)
HOME STREET BANK; LINA)
HWANG; RYAN COONEY;)
STEVEN T. IWAMURA; ROBERT)
M. ERHORN, JR.; KEN)
OHARA; LORI K. STIBB;)
ROBERT E. CHAPMAN; TREVOR)
OZAWA; CHRISTOPHER J.)
WILLIAMS; MAUI PROCESS)
SERVERS LLC; EVICTIONS)
ARE US; ALII PROCESS)
SERVERS LLC; THE HAWAII)
DEPUTY SHERIFF)
ASSOCIATION; PATRICK H.)
SNIFFEN; MAUI COUNTY)
SHERIFF DEPARTMENT; PETER)
T. CAHILL; NICKI ANN)
THOMPSON; STATE OF)
HAWAII- BUREAU OF)
CONVEYANCES; STATE OF)
HAWAII- DEPARTMENT OF)
TAXATION,)
)
)
Defendants.)
)
_____)

ORDER ADOPTING MAGISTRATE JUDGE'S
FINDINGS AND RECOMMENDATION (ECF No. 13), AS MODIFIED

Findings and Recommendation having been filed and served on all parties on April 17, 2014, and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to Title 28, United States Code, Section 636(b)(1)(C) and Local Rule 74.2, the Findings and Recommendations (ECF No. 13) are adopted as the opinion and order of this Court with the following modifications:

On Page 3, Lines 13-16, Replace "Unless the Court in its order for dismissal otherwise specifies, a dismissal under this rule operates as an adjudication upon the merits. See id." with "The United States Supreme Court ruled in Semtek Int'l Inc. v. Lockheed Martin Corp. et al., 531 U.S. 497, 505 (2001) that a dismissal pursuant to FRCP 41(b) operates as an adjudication on the merits in the jurisdiction where the action is dismissed. The same claim may not be relitigated in the jurisdiction where the matter has been dismissed."

IT IS SO ORDERED.

DATED: May 20, 2014, Honolulu, Hawaii.



/s/ Helen Gillmor

Helen Gillmor
United States District Judge